

GOVERNMENT OF TELANGANA
ABSTRACT

Public Services – Forest Department – Disciplinary action against Sri Mohd. Shafiuddin, Forest Section Officer, formerly Warangal North Division finalized by imposing the punishment of “dismissal from service” – Hon’ble High Court Orders dt.14.06.2018 in W.P. No. 469/2018 to implement the orders dt. 12.09.2016 in O.A.No.2195/2015 filed by Smt. Naziya Yaseem w/o Late Mohd. Shafiuddin, FSO, Warangal North Division – orders of Punishment of “dismissal from service” withdrawn - Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.III) DEPARTMENT

G.O.Rt.No. 147

Dated: 03-10-2018
Read the following:-

1. G.O.Ms.No.86, EFS&T(For.IV) Dept., dt.06-08-2005.
2. Review Petition of Sri Mohd. Shafiuddin, FSO, dt. 05.12.2005.
3. Govt. Memo.No.9322/For.IV/2005-5, Dt.06.10.2006.
4. Orders dt. 12.09.2016 of Hon’ble APAT in O.A.No.2195/2015 filed by Smt. Naziya Yasmeen, w/o Late Mohd. Shafiuddin, FSO
5. Govt. Memo.No.4655/For.III/A1/2016, Dt. 09.11.2017.
6. Orders dt. 14.06.2018 of Hon’ble High Court in W.P.No.469 of 2018.
7. From Prl. CCF, Lr.Rc.No.25592/2013/D&A-2, dt. 02.08.2018.
8. Govt. Memo.No.4655/For.III/A1/2016, Dt. 21.08.2018.
9. From Prl. CCF, Lr.Rc.No.25592/2013/D&A-2, dt. 06.09.2018.

O R D E R:

In the G.O first read above, orders were issued concluding the disciplinary case against Sri Mohd. Shafiuddin, FSO Warangal North Division imposing a penalty of “dismissal from service” under Rule-9 of Revised Pension Rules, 1980.

2. Sri Mohd. Shafiuddin, Forest Section Officer has filed a Review Petition vide reference 2nd read above, with a request to reinstate him into service. Government after examination of the matter have rejected the review petition of Sri Mohd. Shafiuddin, Forest Section Officer vide reference 3rd read above. Sri Mohd. Shafiuddin, has expired on 5.11.2006.

3. Aggrieved by the above, Smt. Naziya Yaseem w/o Late Sri Mohd Shafiuddin, Forest Section Officer has filed O.A. No.2195/2015 before the Hon’ble Tribunal with a prayer to set aside the said Government orders. The Hon’ble Tribunal in its orders, dt.12.09.2016 in the said O.A. has passed orders as follows:

“Having regard to the facts and circumstances obtaining in the case and for the foregoing reasons, as no opportunity is given to the husband of the applicant for proving his guilt, the impugned proceedings No. in G.O.Ms No.86, dated 6.8.2005 and memo No.9332/For.IV/2005-5, dated 6.10.2006 are liable to be set aside and are hereby set side. The OA is disposed of accordingly. No costs.”

4. On the above directions, the Principal Chief Conservator of Forests has filed W.P.No.469/2018 before the Hon’ble High Court. The Hon’ble High court in W.P.No.469 of 2018 has issued the following orders on 14.6.2018:-

P.T.O

-:2:-

"In view of the facts recorded and the legal position, we are of the considered opinion that the Tribunal has rightly allowed the OA filed by the first respondent and we find no merit in the present writ petition. Accordingly, the Writ Petition is dismissed. No order as to costs. Miscellaneous petitions, if any, pending in this petition shall stand dismissed".

5. Government, after examination of the matter, in consultation with Principal Chief Conservator of Forests, have decided to implement the above orders of the Hon'ble APAT duly withdrawing the orders issued in G.O. 1st read above and to release entire DCRG which was withheld as a measure of punishment under rule 9 of Revised Pension Rules, 1980 without any recovery to Smt. Naziya Yasmeen w/o late Mohd. Shafiuddin, Forest Section Officer and his legal heirs.

6. Accordingly, Government hereby order the Principal Chief Conservator of Forests to release entire DCRG to Smt. Naziya Yasmeen w/o late Mohd. Shafiuddin, Forest Section Officer and his legal heirs.

7. The Principal Chief Conservator of Forests, Telangana, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

AJAY MISRA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
The Principal Chief Conservator of Forests, Telangana, Hyderabad.
The individual through the Principal Chief Conservator of Forests,
Telangana, Hyderabad
The Accountant General (A&E), Telangana, Hyderabad.
The Director of Treasuries & Accounts, Hyderabad District,
Telangana, Hyderabad.
Sf/Sc.

// FORWARDED :: BY ORDER//

SECTION OFFICER